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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

AARON GREENSPAN,
Plaintiff,
v.
OMAR QAZI, SMICK ENTERPRISES, INC.,
ELON MUSK, and TESLA, INC.,
Defendants.

Case No. 3:20-cv-03426-JD

**SECOND REQUEST FOR
JUDICIAL NOTICE IN SUPPORT
OF PLAINTIFF'S OPPOSITION
TO DEFENDANTS' MOTIONS TO
DISMISS PLAINTIFF'S THIRD
SUPPLEMENTAL AND
AMENDED COMPLAINT AND
SPECIAL MOTION TO STRIKE
CLAIMS UNDER CALIFORNIA'S
ANTI-SLAPP STATUTE, CIV.
PROC. CODE § 425.16**

Judge: Hon. James Donato
Complaint Filed: May 20, 2020
TAC Filed: February 12, 2021

Pursuant to Federal Rule of Evidence 201 and *Rosales-Martinez v. Palmer*, 753 F.3d 890, 894-895 (9th Cir. 2014), Plaintiff Aaron Greenspan requests that the Court incorporate by reference or take judicial notice of the documents identified below, attached herein as Exhibits.

I. DOCUMENTS SUBJECT TO THIS REQUEST

Exhibit	Description	Basis for Notice and/or Incorporation
I	April 24, 2021 Twitter Post by Elon Musk Stating, “Lies can be beautiful”	Publicly available from a reliable source; TAC ¶ 279; Issues 1-35
J	April 28, 2021 Twitter Post by Elon Musk Responding “exactly” to Assertion That Omar Qazi’s	Publicly available from a reliable source; TAC

	@WholeMarsBlog Twitter Account Has Replaced Tesla, Inc. Public Relations Team	JJ 115, 138, 212
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II. FACTUAL BASIS

Judicial notice is proper because the documents' existence and authenticity cannot reasonably be questioned. Both Exhibits I and J did not exist at the time the Third Supplemental and Amended Complaint (ECF No. 103) or Plaintiff's opposition briefs to Defendants' most recent motions to dismiss were filed (ECF Nos. 109-110).

Defendants do not dispute that posts on Twitter are properly subject to judicial notice. ECF No. 108-10. Elon Musk's tweets in particular have frequently been the subjects of requests for judicial notice. *Id.*

III. CONCLUSION

For the aforementioned reasons, Plaintiff respectfully requests that the Court take judicial notice of the above referenced documents.

Dated: April 28, 2021



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EXHIBIT I

April 24, 2021 Twitter Post by Elon Musk Stating, “Lies can be beautiful”



Explore

⚙️ Settings

Tweet



Elon Musk @elonmusk · 7h
define ... beauty

28.2K 14.5K 120.3K



Kuma @KuroiKumanoashi · 7h
John Keats said it best:

"Beauty is truth, truth beauty,—that is all Ye know on earth, and all ye need to know."

50 102 2.1K



Elon Musk @elonmusk

Replying to @KuroiKumanoashi

Lies can be beautiful

2:23 AM · Apr 24, 2021 · Twitter for iPhone

461 Retweets 176 Quote Tweets 7,510 Likes



Sir Doge of the Coin @dogeofficialceo · 7h
Replying to @elonmusk and @KuroiKumanoashi



AstroX @A_S_T_R_O_X · 7h
Replying to @elonmusk and @KuroiKumanoashi

When your company worked endeavouredly and you have reached success.



@itsALLrisky · 7h

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Elon Musk @elonmusk
Technoking of Tesla Mars 😊



Kuma @KuroiKumanoashi
Twitter bear.

What's happening

Premier League · 3 hours ago
Liverpool vs Newcastle Un
Trending with Klopp, Newcastle

Rap · Trending
Kanye
28.4K Tweets

Politics · Trending
#ArmenianGenocide
Trending with Ottoman Empire,

COVID-19 · LIVE
COVID-19: News and upda
for California

SAINT · April 22, 2021
Rapper "Shock G" Dead At Age of 57

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EXHIBIT J

April 28, 2021 Twitter Post by Elon Musk Responding “exactly” to Assertion That Omar Qazi’s
@WholeMarsBlog Twitter Account Has Replaced Tesla, Inc. Public Relations Team



Explore

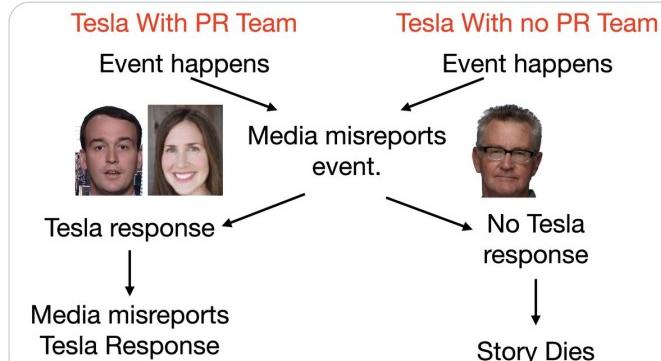
Settings

Tweet



Warren Redlich 🚀 ⚡ 🚗 🚧 🚧 🚧 Bishop of Muskanity @... · 7h ...
This flow chart is for @garyblack00 and others who think @Tesla needs a PR Team.

@WholeMarsBlog @elonmusk



88

299

4.4K



Elon Musk ✅
@elonmusk

Replying to @WR4NYGov @garyblack00 and 2 others

🤣🤣 exactly

2:50 PM · Apr 28, 2021 · Twitter for iPhone

194 Retweets 15 Quote Tweets 6,403 Likes



Z @PlaidModels · 3h

Replying to @elonmusk @WR4NYGov and 3 others
How's Plaid+ coming along?

Ben 🚀 🚧 🌎 @cyberben007 · 3h

Replying to @elonmusk @WR4NYGov and 3 others
@WR4NYGov is the man with the plan!

Chansoo Byeon @ByeonChansoo · 3h

Replying to @elonmusk @WR4NYGov and 3 others
Elon can we get trackmode on AWD Model3?

Dan of 6.2k @spotted_model · 3h

Replying to @elonmusk @WR4NYGov and 3 others
🤣🤣🤣

corey cummings @nerdalator · 3h

Replying to @elonmusk @WR4NYGov and 3 others
Uh oh now Elon is responding to @WR4NYGov ! Haha

Tesla in the Gong 🇦🇺 🚗 🚧 🚧 @TeslaGong · 3h

Replying to @elonmusk @WR4NYGov and 3 others

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Elon Musk ✅
@elonmusk
Technoking of Tesla Mars 😊



Warren Redlich 🚀
@WR4NYGov
Elon fanboy. Tech v SpaceX Boring Neu linktr.ee/wredlich R #Libertarian Long \$ Illiterate in 4 langua...



Gary Black
@garyblack00
Former CEO Aegon Co-CIO Calamos, C Goldman Sachs As: CEO/CIO Janus. My own and don't repr advice.

What's happening

Politics · LIVE

Biden pitches his new America First Families Plan during his first joint session of Congress

Trending with President of the United States, House Chamber

Politics · Trending

First Lady

35K Tweets

MLB · LIVE

Royals at Pirates

Trending with Beijing

Politics · Trending

Kamala

President Joe Biden opens front of a joint session of Congress acknowledgment of 'Madam Kamala Harris, words 'no pre said...from this podium'
Trending with Nancy Pelosi

COVID-19 · LIVE

COVID-19: News and updates for California

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